GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Smt. K. Hemalatha, the then Superintendent, Children Home, Adilabad now Retired Additional Child Development Project Officer, Gooty, Ananthapur District - Making of false entries of results of Accounts Test for Subordinate Officers Part – I in A.P. Gazettee No.19-A, dated 07-05-1992 – Convicted in a Criminal Case by the Hon'ble IX M.M. Court, Hyderabad in C.C.No.343 of 1994 and upheld by the VI Additional Metropolitan Sessions Judge, Secunderabad and the Hon'ble High Court of A.P in Crl. Revison Case Nos.1413/99 and 1461/99 - Departmental proceedings initiated under Rule – 20 of the A.P.Civil Services [CCA] Rules, 1991 – Imposed punishment of 100% cut in pension and Gratuity permanently under Rule – 9 of A.P. Revised Pension Rules, 1980 – Punishment-Modified-Orders-Issued.

DEPT. FOR WOMEN, CHILDREN, DISABLED & SENIOR CITIZENS
[ESTT.]

G.O.Ms.No.1. Dated: 20/01/2022.

Read the following:-

1. G.O.Ms.No.31,Deptt., for Women, Children, Disabled & Senior Citizens (Esst-A2), dated 27.12.2014
2. Orders of the Hon'ble A.P. High Court in W.P.No.11235/2019, dated:22-01-2020
3. Govt., Memo.No.WDC01/223754/Estt.,A2/2015-5, dated 08.06.2021 & 18.08.2021.
4. Issued Govt., Memo.No.WDC01/223754/Estt.A2/2015-7, WCDA & SC (Estt.A2) Dept., dated 26-11-2021.
5. Explanation received from Smt. K. Hemalatha, the then Superintendent, Children Home, Adilabad now Retired Additional Child Development Project Officer, Gooty, Ananthapur District, dated: 10-12-2021, received on 13-12-2021.

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ORDER:

Whereas, in the G.O.1st read above, orders were issued imposing the punishment of 100% (hundred percent] cut in pension and Gratuity permanently under Rule – 9 of A.P. Revised Pension Rules, 1980 in respect of Smt. K. Hemalatha, Retired ACDPO, Gooty, Ananthapur and formerly Superintendent, Children Home, Adilabad, as she was convicted in a Criminal Case by the IX M.M. Court, Hyderabad in C.C.No.343 of 1994 and confirmed by the judgment of VI Additional Metropolitan Sessions Judge, Secunderabad and further upheld by the Hon'ble High Court of A.P. in its orders dated 03-10-2002 in Crl. Revision Case Nos.1413/99 and 1461/99 filed by her for making false entries of results of Accounts Test for Subordinate Officers Part – I in A.P. Gazettee No.19-A, dated 07-05-1992.

2. And Whereas, in the reference 2nd read above, aggrieved with the orders of the Government, Smt. K. Hemalatha, the then Superintendent, Children Home, Adilabad now Retired Additional Child Development Project Officer, Gooty, Ananthapur District, has filed a W.P. No. 11235/2019 in the Hon'ble A.P. High

Court, wherein, the Hon'ble A.P.H.C. has passed the following orders dated:22-01-2020 .

" xxxxxx

19. For the aforesaid reasons, the Writ Petition is allowed, setting aside the order dated 08.11.2018 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad, in O.A.No.7401 of 2015 and consequently G.O.Ms.No.31 of Department for Women, Children, Disabled and Senior Citizens (Estt.A2), dated 27.12.2014 is also set aside. However, it is open for the disciplinary authority to adhere to the above indicated provisions of law and to finalize the proceedings as expeditiously as possible, preferably within a period of three (3) months from the date of receipt of a copy of this order. There shall be no order as to costs of the Writ Petition.

3. And Whereas, in the reference 3rd read above, in pursuance of the orders of the Hon'ble A.P.H.C in W.P.No.11235/2019, dated 22.01.2020, Govt., decided to disagree with the findings of the Inquiry Officer and in terms of Rule 21(2) of APCS (CC&A) Rules, 1991, a copy of the Inquiry Report was forwarded together with the reasons for disagreement with the findings of the Inquiring authority on the article of charges to the C.O Smt.K. Hemalatha .

4. And Whereas, in the reference 4th read above, the C.O Smt. K. Hemalatha, has submitted her further representation dated 10-12-2021, wherein she has stated that the reasons given by the Government for the disagreement on Enquiry Report are baseless as per the provisions of Law and rules. Further, the Enquiry officer submitted his report that the charges framed against her are held not proved and recommended to drop the disciplinary proceedings. The Hon'ble High Court has also converted the punishment only as fine. The severe punishment imposed by the Government order dated 27-12-2014 is without guilty of charge. Hence, it is highly unreasonable even cut of pension 50% as proposed. Therefore, she has requested the Government to drop the disciplinary proceedings and grant 100 percent pension and gratuity without reduction or cut with consequential benefits thereon with effect from 01-09-2007 from the date of retirement.

5. Now, Government after careful consideration of the entire matter have decided to take a humanitarian view and order to reduce the punishment of 100% (hundred percent) cut in pension and Gratuity permanently to that of 50% cut in pension permanently under Rule – 9 of A.P. Revised Pension Rules, 1980, in respect of Smt. K. Hemalatha, Retired ACDPO, Gooty, Ananthapur and formerly Superintendent, Children Home, Adilabad, as she was convicted in a Criminal Case by the orders of the IX M.M. Court, Hyderabad in C.C.No.343 of 1994 as confirmed by the judgment of VI Additional Metropolitan Sessions Judge, Secunderabad and further upheld by the Hon'ble High Court of A.P. in its orders dated 03-10-2002 in Crl. Revision Case Nos.1413/99 and 1461/99 filed by her, for making false entries of results of Accounts Test for Subordinate Officers Part – I in A.P. Gazettee No.19-A, dated 07-05-1992.

6. The suspension period of Smt. K. Hemalatha, Retired ACDPO, Gooty, Ananthapur and formerly Superintendent, Children Home, Adilabad, be treated as "Not on duty" for all purposes.

7. This order does not require the concurrence of the A.P.P.S.C under Rule 9 of A.P.Revised Pension Rules, 1980.

8. The Director, WD&CW, Guntur, is requested to take necessary further action in the matter, accordingly.

Sent the mail on 21/01/22 at 1:29 PM

Anuradha Rajaratnam Arcot
Principal Secretary To Government

To
The Director, W.D & C.W., A.P., Guntur.
Copy to: -
Smt. K. Hemalatha, Retired ACDPO, Gooty, Ananthapur (through Director, WD&CW)
The Accountant – General, A.P., Vijayawada.
The Director of Treasuries and Accounts, A.P., Ibrahimpatnam, Vijayawada.
The G.P for WD&CW[S], Hon'ble A.P .High Court, Amaravathi.(w.r.to C.C No. C.C.No.704/2021 filed by Smt. K. Hemalatha, ACDPO, ICDS Gooty, Ananthapur).
The Liaison Officer, A.P.H.C.
SF / SCs.

21/1/22

// FORWARDED :: BY ORDER //

SECTION OFFICER

Signed by Anuradha
Rajaratnam Arcot
Date: 20-01-2022 12:05:01
Reason: Approved

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PUBLIC SERVICES – Smt. K. Hemalatha, the then Superintendent, Children Home, Adilabad now Retired Additional Child Development Project Officer, Gooty, Ananthapur District - Making of false entries of results of Accounts Test for Subordinate Officers Part – I in A.P. Gazettee No.19-A, dated 07-05-1992 – Convicted in a Criminal Case by the Hon'ble IX M.M. Court, Hyderabad in C.C.No.343 of 1994 and upheld by the VI Additional Metropolitan Sessions Judge, Secunderabad and the Hon'ble High Court of A.P in Crl. Revison Case Nos.1413/99 and 1461/99 - Departmental proceedings initiated under Rule – 20 of the A.P. Civil Services [CCA] Rules, 1991 – Imposed punishment of 100% cut in pension and Gratuity permanently under Rule – 9 of A.P. Revised Pension Rules, 1980 – Punishment - Modified – Orders - Issued.

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19. For the aforesaid reasons, the Writ Petition is allowed, setting aside the order dated 08.11.2018 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad, in O.A.No.7401 of 2015 and consequently G.O.Ms.No.31 of Department for Women, Children, Disabled and Senior Citizens (Estt.A2), dated 27.12.2014 is also set aside. However, it is open for the disciplinary authority to adhere to the above indicated provisions of law and to finalize the proceedings as expeditiously as possible, preferably within a period of three (3) months from the date of receipt of a copy of this order. There shall be no order as to costs of the Writ Petition.

3. And Whereas, in the reference 3rd read above, in pursuance of the orders of the Hon'ble A.P.H.C in W.P.No.11235/2019, dated 22.01.2020, Govt., decided to disagree with the findings of the Inquiry Officer and in terms of Rule 21(2) of APCS (CC&A) Rules, 1991, a copy of the Inquiry Report was forwarded together with the reasons for disagreement with the findings of the Inquiring authority on the article of charges to the C.O Smt. K. Hemalatha.

4. And Whereas, in the reference 4th read above, the C.O Smt. K. Hemalatha, has submitted her further representation dated 10-12-2021, wherein she has stated that the reasons given by the Government for the disagreement on Enquiry Report are baseless as per the provisions of Law and rules. Further, the Enquiry officer submitted his report that the charges framed against her are held not proved and recommended to drop the disciplinary proceedings. The Hon'ble High Court has also converted the punishment only as fine. The severe punishment imposed by the Government order dated 27-12-2014 is without guilty of charge. Hence, it is highly unreasonable even cut of pension 50% as proposed. Therefore, she had requested the Government to drop the disciplinary proceedings and grant 100 percent pension and gratuity without reduction or cut with consequential benefits thereon with effect from 01-09-2007 from the date of retirement.

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entries of results of Accounts Test for Subordinate Officers Part – I in A.P. Gazettee No.19-A, dated 07-05-1992.

6. The suspension period of Smt. K. Hemalatha, Retired ACDPO, Gooty, Ananthapur and formerly Superintendent, Children Home, Adilabad, be treated as "Not on duty" for all purposes.

7. This order does not require the concurrence of the A.P.P.S.C under Rule 9 of A.P. Revised Pension Rules, 1980.

8. The Director, WD&CW, Guntur, is requested to take necessary further action in the matter, accordingly.

[BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH]

A.R. ANURADHA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director, W.D & C.W., A.P., Guntur
Copy to: -
Smt.K.Hemalatha, Retired ACDPO, Gooty, Ananthapur
(through Director, WD&CW)
The Accountant – General, A.P., Vijayawada.
The Director of Treasuries and Accounts, A.P., Ibrahimpatnam, Vijayawada.
The G.P for WD&CW[S], Hon'ble A.P .High Court, Amaravathi.
(w.t.to C.C.No.704/2021 filed by Smt. K. Hemalatha,
ACDPO, ICDS Gooty, Ananthapur).
The Liaison Officer, A.P.H.C.
SF/SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER